

Notice of Allowability

Application No.

09/454,349

Examiner

Cristina Owen Sherr

Applicant(s)

EPSTEIN, MICHAEL A.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 04/17/06.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 05/05/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This communication is in response to Applicant's After-Final Amendment received on 17 April 2006. Claims 1-20 are pending in this case.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on May 5, 2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Reasons for Allowance

3. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

The closest prior art of record shows:

(1) Methods for providing secure access to shared information (Haas et al, US 5,719,938A);

(2) a security system for protecting information stored in portable storage media (Kataoka et al, US 5,857,021);

(3) a cryptographic communication method and system (Takaragi et al US 5,144,665A);

(4) a method and apparatus for incremental delivery of access rights (Europe EP 0 717 566 A1);

(5) Go for public keys: public keys are the safest way to secure your data today. (The Critical Distinction)(computer security issues)(one of five articles in "Your Best

Defense System")(Column); Garfinkel, Simson; Windows Sources, Volume: 3, Number: 9, Page: 86(1), Sep, 1995;

(6) A framework for systems security, (information systems); Cecere, Carl; Ruppert, William H.; Journal of Electronic Defense, Volume: 15, Number: 1, Page: 54(4), Jan 1992;

(7) a system and method for key escrow and data escrow encryption (Lipner et al, PCT WO 9605673A1);

(8) a software copying system (Akiyame et al, EP 0 809 244 A2);

(9) a method and apparatus for controlling the dissemination of digital information (Narasimhalu et al, EP 0 672 991).

4. Applicant's set of claims consists of claims 1-20.

4.1 Independent claim 1 is directed at a recording medium. This claim identifies the uniquely distinct feature of generating a unique identifier at each occurrence of a write operation. In particular, nothing in the prior art teaches or suggests the described secure item based on a unique identifier that is unique to each occurrence. Because nothing in the prior art appears to teach or suggest the combination described above, independent claim 1 and its dependent claims 2 and 3 are deemed allowable.

4.2 Independent claim 4 is directed at a rendering device for rendering content material corresponding to encrypted content material contained on a recording medium. This claim identifies the uniquely distinct feature of generating a unique identifier at each occurrence of a write operation. In particular, nothing in the prior art teaches or

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suggests the described secure item based on a unique identifier that is unique to each occurrence. Because nothing in the prior art appears to teach or suggest the combination described above, independent claim 4 and its dependent claims 5-7 are deemed allowable.

4.3 Independent claim 8 is directed at a provider of content material. This claim identifies the uniquely distinct feature of generating a unique identifier at each occurrence of a write operation. In particular, nothing in the prior art teaches or suggests the described secure item based on a unique identifier that is unique to each occurrence. Because nothing in the prior art appears to teach or suggest the combination described above, independent claim 8 and its dependent claims 9-13 are deemed allowable.

4.4 Independent claim 14 is directed at a method of providing content material. This claim identifies the uniquely distinct feature of generating a unique identifier at each occurrence of a write operation. Because nothing in the prior art appears to teach or suggest the feature, independent claim 14 and its dependent claims 15-17 are deemed allowable.

4.5 Independent claim 18 is directed at a method of rendering content material from a recording medium. This claim identifies the uniquely distinct feature generating a unique identifier at each occurrence of a write operation. Because nothing in the prior art appears to teach or suggest the feature described above, independent claim 18 and its dependent claims 19 and 20 are deemed allowable.

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5. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

COS
05/10/06

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600